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Spokane Tribal Natural Resources

P.O. Box 100 • Wellpinit, WA 99040 • (509) 258 9042 • fax 258-9600

January 25, 2000

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FEB 03 2000
Environmental Cleanup Office

Ms Monica Tonel, Site Assessment Manager
U S Environmental Protection Agency
Region 10
1200 Sixth Ave
Seattle, WA 98101

RE Preliminary Assessment of Upper Columbia River Basin

Dear Ms Tonel.

Thank you for your telephone call and letter dated October 21, 1999, conveying EPA's intent to conduct multiple preliminary assessments (PA's) of the Upper Columbia River Basin, in response to a Petition submitted by the Confederated Tribes of the Colville Reservation.

Your correspondence commits EPA to coordinating its activities with the Spokane Tribe. Such coordination is not only advisable, but necessary. The Spokane Tribe has ownership interests in the bed and banks of the Columbia River that are not addressed in the Colville Tribes' Petition. An unresolved issue of overlapping boundaries exists between the Colville and Spokane Reservations. The Tribal Councils must work together as tribal governments to resolve this boundary issue. Meanwhile, EPA must acknowledge the Spokane Tribe's Reservation boundaries.

EPA's PA involves area within the Spokane Reservation. Your agency's Indian Policy, as well as the Tribal Environmental Agreement between EPA and the Spokane Tribe, require EPA to consult with the Spokane Tribe on matters involving this Reservation. Further, CERCLA requires such consultation with the Spokane Tribe, both as a government potentially affected by response actions, and as a natural resource trustee.

In addition to the Tribe's ownership of a river segment, the Tribe also has an interest in EPA's examination of a possible contaminant source within the Reservation. Without any prior notice to the Spokane Tribe, a field tour of contaminant sources was scheduled last fall. The tour included a stop (with the Bureau of Indian Affairs) at the Midnite Uranium Mine. This defunct mine is within the Spokane Indian Reservation and is the subject of a separate CERCLA action by EPA Region 10. Any potential inclusion of this site in the Columbia River PA should be discussed with the Spokane Tribe and coordinated with the RPM for the Midnite Mine RI/FS.

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Ms Monica Tonel
Re Upper Columbia River P.A.
January 25, 2000

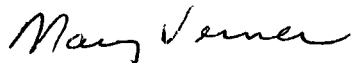
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As I mentioned during our telephone conversation last fall, the Spokane Tribe was aware that the Colville Tribes were discussing a possible CERCLA Petition on the Columbia River. The Colville Tribes gave us the courtesy of an invitation to join in their discussions. However, our staff resources were stretched too thin to attend the numerous meetings at which these issues were discussed. We do not oppose the Colvilles' Petition. Rather, we are advising EPA that the Spokane Tribe also must be consulted because the PA involves Spokane Tribal lands and waters.

Please work with me to arrange a date for appropriate government-to-government consultation between your Regional Administrator and the Spokane Tribal Council.

Thank you for your attention and prompt reply.

Sincerely,



Mary Verner
Director for Policy
Spokane Tribal Natural Resources Department

cc Spokane Tribal Business Council
Spokane Tribal Attorney
Colville Tribal Business Council
Colville Tribes' Office of Environmental Trust
Colville Tribes' Office of the Reservation Attorney